

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, 4-07-70574 WDB

 Plaintiff, ORDER GRANTING FOURTH

 v. STIPULATION TO WAIVE TIME UNDER

MICHAEL MARTIN, et al., SPEEDY TRIAL ACT AND FOR

 Defendant. PRELIMINARY HEARING

Pursuant to Fed. R. Crim. P. 5.1(d) and 18 U.S.C. §
3161(h)(8), the parties in this matter have filed a Fourth
Stipulation to Waive Time Under the Speedy Trial Act and for
Preliminary Hearing, seeking to waive and extend the time for
the preliminary hearing and to exclude the time between January
29, 2008, through February 26, 2008, from the Speedy Trial
Clock. The stipulation was signed by counsel of record as well
as the defendants such that the defendants are knowingly and
voluntarily waiving their rights to a preliminary hearing on
January 29, 2008, and extending the preliminary hearing until
February 26, 2008.

Good cause appearing therefor,

IT IS HEREBY ORDERED that the period between January 29,
2008, and February 26, 2008, is excluded from the Speedy Trial
Clock to allow counsel to effectively prepare, taking into

1 account the exercise of due diligence. 18 U.S.C. §
2 3161(h)(8)(B)(iv). The Court finds that the "ends of justice
3 served by the granting of such continuance outweigh[s] the best
4 interests of the public and the defendant in a speedy trial."
5 18 U.S.C. § 3161(h)(8)(A). Additionally, the Court finds that
6 the defendants knowingly and voluntarily waived the period
7 between January 29, 2008, and February 26, 2008, such that
8 preliminary hearing is now scheduled for February 26, 2008, at
9 10:00 a.m.

10 Dated: January 25, 2008

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13 WAYNE D. BRAZIL, Judge
14 United States District Court
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